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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,316	05/11/2001	Yoon Kean Wong	25216-0846	7831

29989 7590 03/26/2003

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EXAMINER

SHENG, TOM V

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 03/26/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/854,316

Applicant(s)

WONG ET AL.

Examiner

Tom V Sheng

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-46 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 17-26 is/are allowed.
- 6) ☒ Claim(s) 1,3,8,9,13-16,27,29-46 is/are rejected.
- 7) ☒ Claim(s) 2,4-7,10-12 and 28 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 11 May 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

1. New corrected drawings are required in this application because the drawings are informal. Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 3, 8-9, 13-16, 27, 29-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lebby et al. (US Patent 5534888) in view of Ho (US Patent 5909207).

As to claims 1, 29, 37, 39, and 43, Lebby teaches a computing device (electronic book; figure 1) comprising:

a display (display 572, figure 5), which in one embodiment (figure 2 or 3) consists of multiple display pages (element 116 or 316) and in another embodiment consists of

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two displays (displays 450 and 451, figure 4);

a memory (memory part of element 560, figure 5) to store a data collection, the data collection being segmented into a plurality of pages (inherent since displaying pages is the main purpose of Lebby's electronic book), each page being presentable on the display; and

a processor (CPU part of element 560) coupled to the display and the memory, the processor being configured to present the pages on the display by retrieving the pages from the memory and by signaling the display to present the plurality of pages (the CPU, in coordination with the memory, pagination control 571 and/or circuitry/software 561, allows the pages to be displayed sequentially; column 6, lines 25-34).

In updating pages to be displayed (pagination), Lebby teaches in one embodiment (figure 2 or 3) the sensing of the turning of individual pages (display pages 116 or 316; column 4, lines 34-49) of the multiple display pages, and in another embodiment (figure 4) the sensing of a plurality of function keys 417 (column 5, lines 2-11). The sensing inherently requires a sensor coupled to the processor (CPU part of element 560) and is disclosed as functions or controls switches 564 (column 5, lines 61-67). However, Lebby does not teach the sensor device sensing a deflection of a member to signal the processor a deflection value, the deflection value causing the processor to sequentially present at least portions of multiple pages on the display over an interval of time.

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On the other hand, Ho teaches a browsing device (figure 9; device 900) to be used with a computer for browsing information in pages by means of a bending (i.e. deflection) mechanism. In particular, Ho's device 900 contains "pages" 901 that will bend like the pages in a normal book, and the bending force is sensed to effect page turning (column 21, line 61, - column 22, line 29). See also related thumb control information in column 8, lines 22-31. Moreover, the bending of the "pages" 901 reads on a deflection of a surface.

One of ordinary skill in the art would recognize that the bending device of Ho would be a way just as easily lent itself to be used in Lebby's electronic book. Furthermore, this is a natural and intuitive method. Therefore, it would have been obvious for one of ordinary skill in the art at the time the invention was made to incorporate Ho's bending device into Lebby's electronic book as a viable alternative, since this provides an intuitive way to turn pages, especially in Lebby's embodiment (figure 4) that is currently using function keys.

As to claim 3, Ho's bendable "pages" 901 reads on claimed member as a component of the sensor device.

As to claims 8, 36, and 46, the bending force of the thumb is inherently measured as an analog value that correlates to a magnitude of deflection.

As to claims 9, 30-35, 40-42, and 44-45, Ho teaches that the bending force of the thumb with device 900 is to effect the same operations as performed on the slanted surface 121 of the browsing device 100 (column 22, lines 1-4). And with the device 100, Ho teaches that the force of the thumb (push) would indicate how fast to move

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through the document (column 8, lines 22-24), and this reads on claimed magnitude of the deflection (bending, an analog value) that determines a frequency (how fast) at which portions of the multiple pages are presented on the display. Moreover, sequential display of multiple pages is inherent and expected in an electronic book. Page jump is also described (column 22, lines 4-16).

As to claim 13, it is inherent that an analog-to-digital converter would be provided in order to communicate measurement from a deflection sensor (analog in nature) to a microprocessor (digital in nature).

As to claim 14, coupling a digitizer to the display is merely an enhancement as to provide a touch-pad for pointing or selection.

As to claim 15, whether the sensor device is unitarily formed with the digitizer could be simply a cost or integration issue.

As to claim 16, the arrangement of the claimed components could be based on cost or integration issue.

As to method claim 27, the rejection analysis of device claim 1 applies.

As to claim 38, in addition to analysis of claim 1, Ho's browsing device 900 is in fact a peripheral device that comprises both a communication port (figure 2E, connection between browsing device 100 and computer 205) and the analog input device (figure 9A, the "pages" 901 with corresponding sensor 970).

Allowable Subject Matter

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4. Claims 2, 4-7, 28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: none of prior arts of record teaches a deflectable display coupled to a sensor device so as to deflect with the sensor device, as recited in claim 2, and recitation of claim 28.

5. Claims 10-12 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: none of the prior arts of record teaches the concurrent display of a current page and a subsequent page, as recited in claim 10. For Lebby and Ho, both page flipping or page jump would result in new pages being displayed.

6. Claims 17-26 allowed.

The following is a statement of reasons for the indication of allowable subject matter: none of the prior arts of record teaches the recitation "a sensor device coupled to the display to detect a deflection of the display, the sensor device being coupled to signal the processor a deflection value corresponding to the deflection of the display" of claim 17.

Conclusion

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tom V Sheng whose telephone number is (703) 305-6708. The examiner can normally be reached on 8:30am - 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (703) 305-4938. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

TS
March 24, 2003


KENT CHANG
PRIMARY EXAMINER